Supreme Court, U.S.
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NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

In re:

WINFRED PAUL ADAMS; MAJOR, USAF, retired, JUANITA CEDILLO, JUAN P. CEDILLO; EDWARD GEORGE NOVOTNY, ETTA B. NOVOTNY; ANDREW COLESANTI, ANTONIO GUTIERREZ, and FRANCIS G. REUTER

Petitioners,

v.

PERSONS HOLDING LICENSED TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATES OF NEW MEXICO, COLORADO, FLORIDA, GEORGIA, MISSOURI, TEXAS, SOUTH DAKOTA and THE UNITED STATES GOVERNMENT WHO WERE QUALIFIED TO DO SO AS A CONDITION PRECEDENT BY HOLDING LICENSE TO PRACTICE LAW UNDER USURPED POLITICAL AUTHORITY USING AUTHORITY OF COURT RULES PRODUCED BY PUBLIC OFFICERS WITH ASSIGNED DUTIES IN THE SUPREME COURTS OF THE NAMED STATES,

Respondents.

ON PETITION FOR A WRIT OF MANDAMUS AND IN THE ALTERNATIVE A WRIT OF PROHIBITION

PETITION FOR EXTRAORDINARY WRITS

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QUESTIONS PRESENTED

I. Whether anarchy is prevalent within the United States of America sufficient to prevent the execution of constitutional powers for the benefit of those with special privileges at the expense of the many, which includes the Petitioners and other excluded American Citizens.

II. Whether the *M'Culloch* decision of the Court is the parent of the anarchy active nationwide.

III. Whether the Court's discretionary authority is warranted to reestablish the rule of law so the petitioners may seek life, liberty and the pursuit of happiness without having to actively compete with or fear the effect of the evil forces of anarchy.

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Petitioners,

v.

PERSONS HOLDING LICENSED TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATES OF NEW MEXICO, COLORADO, FLORIDA, GEORGIA, MISSOURI, TEXAS, SOUTH DAKOTA and THE UNITED STATES GOVERNMENT WHO WERE QUALIFIED TO DO SO AS A CONDITION PRECEDENT BY HOLDING LICENSE TO PRACTICE LAW UNDER USURPED POLITICAL AUTHORITY USING AUTHORITY OF COURT RULES PRODUCED BY PUBLIC OFFICERS WITH ASSIGNED DUTIES IN THE SUPREME COURTS OF THE NAMED STATES,

Respondents.

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Major Adams assembles peaceably with other American citizens pursuant to 28 U.S.C. § 1651(a) in this common law judicial body under power of the First Amendment of the Constitution for the United States of America, a condition precedent to

ratification of the Nation's Constitution, and petitions government within this judicial body for a redress of their grievances against anarchy active within the United States of America, which prevents petitioners, and other excluded Americans, by usurped authority from executing constitutional powers secured by their constitutions for their exclusive use. Petitioners seek the Court's discretionary powers to free them from the deceptive antitrust practices active under the color of court rules prevalent throughout the United States of America, illicit practices which excludes them and other Americans from gainful employment using their God given faculties, the fluency of their language, and their integrity. Major Adams is bound by 5 U.S.C § 3331 to defend the constitution and held there by 10 U.S.C. § 802(a)(4) with compensation.

JURISDICTION

This petition to the Supreme Court of the United States constitutes an action to preclude nationwide contradictory district court decisions currently emerging which portends deliberate overt acts by inappropriate use of government authority in the form of judge made law preventing the execution of constitutional powers and preserving the benefits of anarchy for its perpetrators. Jurisdiction is now exceptional thereby requiring the Court's specific attention in that the persons hearing and determining decisions in the federal district courts are public officers who are also Defendants and who are now being supported by the Department of Justice in each of the False Claims Act, (31U.S.C. § 3729 *et seq.*) civil causes from which this petition arises. See Appendixes 43 to 55 for proof of *qui tam* complaints which portend contradictory decisions.

The petition is unique in that the only available access to the Court by the assembled petitioners is by an exercise of First Amendment power to petition government in a judicial forum which has not been and cannot be abridged by statutory law, common law, or court rules; all of which arise only under authority of the United States Constitution whose ratification was conditioned upon acceptance of the Bill of Rights, and whose contents contain the source of the relief sought.

Jurisdiction also arises under Clause 1, Section 2, Article III, and provisions of the Bill of Rights, Constitution for the United States of America and for those of the American People assembled.

Jurisdiction is further established in that Section 4, Article IV, Constitution for the United States guarantees for 'every State in this Union a Republican Form of Government',

the States of Colorado, Florida, Missouri, New Mexico, Texas, and Wisconsin, among others, are actively engaged in anarchy, which is not a Republican Form of Government, and are actively opposing the rule of law therein. The Attorney General of the United States, given an opportunity to intervene against the anarchy, has instead chosen to aid and abet the anarchy without benefit of either law, or the vested authority of office rather than honor the oath of office freely taken by him pursuant to 5 U.S.C. § 3331 to defend the Constitution of the United States of America.

Jurisdiction is still further clouded by the decision in *Vermont Agency of Natural Resources v. United States ex rel Stevens*, 146 L Ed 2d 836 to the extent that the United States - not the Relators - was suing the state agency - sovereign v. sovereign under Article III of the Constitution. The Relators simply relate the cause of the Nation for entitled benefits in the Nation's direct interest; and the dissenting opinions expressed therein by Justices Stevens and Souter seemingly penetrates the apparent confusion.

In every case filed to date and acted upon by the Office of the United States Attorney General, the attorney general subordinated the United States and the individual Relators to Defendants in the various federal courts for proposed hostile decisions without the Defendants having benefit of the applicable Disclosure Statements provided by Rule 4(d)(4), Federal Rules of Civil Procedures to the Attorney General and no proof that the Attorney General performed a diligent investigation as required by 31 U.S.C. 3730(b)(1), a possible defect in the False Claims Act, since a Defendant party was asked without the facts to harm the applicable Relator contrary to the nature of 31 U.S.C. 3729 *et seq.* and the inherent protection of the Relators provided therein. Evidence of the

retaliatory effort against the Colorado Relators, Appendix 40), for filing the complaint, a contradictory order, (Appendix 39), and the integrity of the pleadings in Appendix 42.

Finally, there are eight independent federal district court *qui tam* complaints being prepared or filed involving six different circuits. Each district court joined with the Department of Justice, DOJ, has the use of applicable federal and state statutes for reference, they have the use of common law and court rules/procedures, and they have available the Manual for Complex Litigation, 3rd Edition, (28 U.S.C. §§ 1407, and 2112), for consideration. Nevertheless, the evidence thus far indicates the DOJ has lined up with the defendants without deference to the Fifth Amendment due process of law mandate against the independent non-lawyer litigants, all of whom have common legal objectives of primarily eliminating conditions of involuntary servitude being imposed on them by exclusionary and tying antitrust accommodations between public officers assigned duties with the supreme courts of member states and the American Bar Association. Sadly, the probability of common decisions within the reach of justice from the various circuits under the foregoing circumstances is, nevertheless, nil. *Id.*

The mission of the Judicial Code, the Judicial Conference of the United States and Panel, and its subordinate circuit conferences and panels - given their full and competent effect over the years - has never been required to face the category of either the Defendants or their anarchy on the scale now prevalent nationwide. Indeed, the Rules of Procedures of the Judicial Panel on Multidistrict Litigations pursuant to 28 U.S.C. §§ 1407 and 2212 do not address the False Claims Act cases as captioned. The gravamen of the cause is revealed in the captioned of the *Qui Tam* complaints of record and the evidence provided in the independent Disclosure Statements

sent to the United States Attorney General for each *Qui Tam* Complaint pursuant to Rule 4(d)(4), Federal Rules of Civil Procedure. *Id.*

In view of the foregoing, the Court cannot fail to see the unique and exceptional circumstances which warrants the exercise of its discretionary powers, no semblance of which is likely to become available elsewhere within the federal judicial system as currently organized.

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED IN THE CASE

Section 4, Article IV, Constitution for the United States of America; to wit:

The United States shall guarantee to every State in the this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

Article VI, Constitution for the United States of America states in part:

This Constitution, and the Laws of the United State which shall be made in Pursuance thereof; . . . shall be the supreme Law of the Land; any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executives and judicial Officers, both of the United States and the several States, shall be bound by Oath or Affirmation, to support this Constitution; . . . .

Respective State laws relevant to surety bond requirements of elected and appointed public officers, for the faithful performance of their duties prior to taking office; an example of which is embodied in Section 5(b), Article II, Constitution of the State of Florida; and the numerous schemes in place within the Named States to avoid the benefits of being held bound by an oath of office.

The First Amendment to the Constitution for the United States of America states in part:

Congress shall make no law . . . or abridging . . the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The Fourth Amendment to the Constitution for the United States of America states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no Warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Fifth Amendment to the Constitution for the United States of America states in part:

No person shall . . . be deprived of life, liberty, or property, without due process of law .

The Sixth Amendment to the Constitution for the United States of America states in part:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and District wherein the crime shall have been committed; which district shall have been previously ascertained by law, . . . to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

The Seventh Amendment to the Constitution for the United States of America states:

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall otherwise re-examined in any Court of the United States, than according to the rules of the common law.

The Eighth Amendment to the Constitution for the United States of America states:

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The Ninth Amendment to the Constitution for the United States of America states:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

The Tenth Amendment to the Constitution for the United States of America states:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The Thirteenth Amendment to the Constitution for the United States of America states:

Section 1. Neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been convicted, shall exist within the United States, or any place subject to its jurisdiction.

Section 2. The Congress shall have the power to enforce, by appropriate legislation.

The Fourteenth Amendment to the Constitution for the United States states in part:

Section 1. [No] State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or the property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, and hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States , or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States , shall have engaged in insurrection or rebellion against the same, or given aid or

comfort to the enemies thereof. But Congress may by vote of two-thirds of each house, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for loss or emancipation of any slave; but all such debts, obligations and claims shall by held illegal and void.

Section 5. The Congress shall have the power to enforce, by legislation, the provisions of this article.

14 U.S. Stat. 27 and 17 U.S. Stat.13 enforced the legislation provisions of the Thirteenth and Fourteenth Amendments. Note: 14 U.S. Stat. 27 *overrode a presidential* veto on April 6, 1866 and prevails at this date. 17 U.S. Stat.13 reinforced 14 U.S. Stat. 27, and Section 10 of 14 U.S. Stat 27 authorizes a final appeal of any provision therein to this Court.

Title 31 United States Code, Sections 3729, *et seq.* , in conjunction with Title 18 United States Code, Sections 286, 371, 2382, 2384, and 2385.

In re Charge to Grand Jury, N.D. Ill. (1894), 62 F. 828 which defines insurrection, insurgents, in conjunction with the word 'anarchy' as used herein.

M'Culloch v. Maryland, 17 U.S. (4 Wheat.) 316 (1819).

Vermont Agency of Natural Resources v. United States ex rel Stevens, 146 L Ed 2d 836.

United States v. Murphy, 937 F.2d 1032 (6th Cir. 1991).

Nelson v. Bartell, 4 Wash. 2d 174, at 175 and 182-183, 103 P.2d 30 (Wa. 1940) relating to obligation and effective force of faithful performance bonds on both principal and surety which provides indemnity against malfeasance, nonfeasance, and misfeasance in public office. A surety bond is not liability insurance.

City of Santa Fe v. Carole Anton, First Judicial District of New Mexico, Case Number D-101 CV-2003-00523 serves to illustrate Petitioners' plight within the State and Federal judiciaries.

Sixteen Federalist Papers pertaining to anarchy, its sources, it nourishment, its preservation and it destructive powers together with the Principle of Government identified and named herein as the essential guidance to maintain a respectable balance of available distributed powers between order with liberty and disorder with anarchy for the guaranteed Republican Form of Government.

Respective State and Federal Antitrust Laws or constitutional provisions therefor as follows:

A. 15 U.S.C. §§ 1 and 2 for all named states.

B. Sections 1, 2, 3, 8, 9, 10. 12, 13, 14, 16, 25, , Article I, Sections 1, 5, and 6, Article III, and Sections 36(a), Article IV, Constitution of Missouri;

C. Section 25, 26, and 38, Article IV, Constitution of New Mexico, NMRA 15-102 et seq., NMSA 57-1-1 to 19; and Section 8, Clause 3, Article I, Nation's Constitution.

D. Wisconsin Trusts and Monopolies Act codified at Wis. Stat. Ann. § 133.01 to 133.18 which are analogous to the Sherman Act, the United States antitrust laws and *Herro, McAndrews & Porter v. Gerhardt*, 62 W. 2d 179, 214 N.W. 2d 401 where the Supreme Court decided for its own reward the practice of law issue without deference to state and federal antitrust and anti-competitive tying and exclusionary accommodations against the excluded People of the State of Wisconsin.

E. Colorado Supreme Court Rules of Civil Procedures, for licensing attorney which that court is powerless to do using public appropriations in direct opposition to Section 26 and 28, Article II, Constitution of Colorado; and see Rule 201.3 et seq., C.R.C.P..

F. Fla. Sta. Ch. 25: 25.371 and *Petition of Florida State Bar Association*, 40 S.2d 902, (1949) for court authority trumping state statutes which the Florida Legislature was powerless to do using public appropriations in direct opposition to Sections 1, 2, 9, 10, 20, and 21, Article I, Section 3, Article II, and Sections 1, 6, and 19(b) Article III, Constitution of Florida, and Fl. St. Chapter 542.18 to .32; and Florida Deceptive and Unfair Trade Practices Act, Fla St. ch. 501.201, *et. Seq.*

State constitutional prohibition against monopolies and laws validating invalid acts in the form of Sections 25, 26,.and 38, Article IV, Constitution of the State of New Mexico.

PERTINENT DEFINITIONS

Civil Mutiny:

To rise against lawful or constituted authority, ... Black's Law Dictionary, 5th Edition, West Publishing Company, 1979, p. 919.

Anarchy:

> Absence of government; state of society where there is no law or supreme power; lawlessness or political disorder, destructive of and confusion in government. At its best it pertains to a society made orderly by good manners rather than law, in which each person produces according to his powers and receives according to his needs. And at its worse, the word pertains to a terroristic resistance to all present government and social order. Black's Law Dictionary, 5th Edition, West Publishing Company, 1979, p.77.

LIST OF ALL PARTIES TO THE PROCEEDINGS

Petitioner Adams resides in New Mexico and is available in the interest of economy and justice to serve as spokesman for Antonio Gutierrez of New Mexico, Andrew Colesanti of Florida, Juanita Cedillo of Texas, Edward and Etta Novotny of Colorado, Francis Reuter of Wisconsin, and Juan Cedillo of Missouri; however, he appears only as a condition precedent before the Court under the power of the First Amendment of the Constitution for the United States of America without inhibiting the First Amendment power of each and every other petitioner.

The Respondents are all active or honorary members of the American Bar Association and their respective Federal, or

State and County Bars and are further identified within severe limitations as follows:

> persons licensed to practice law, and persons holding public office in the named States and the United States who were qualified by holding license to practice under the political authority of court rules created by public officers granted the public trust to enter office with duties in the supreme courts of the respective States.

The American Bar Association and all of its active and honorary membership pervade each and every level of both federal and named state government so that conditions of involuntary servitude under anarchical powers are imposed upon the excluded American People under bilateral state and federal, exclusionary and tying, antitrust accommodations with public officers of the various named state supreme courts; the consequence of which prevents by the force and effect of anarchy the execution of constitutional powers by the general public, and in particular the petitioners.

The Respondents have several common element: the American Bar Association, public officers assigned duties in the courts of record of the named States as defendants, and identical bilateral state and federal, exclusionary and tying, antitrust accommodations consisting of the plan, objectives, and overt acts giving effect to the civil conspiracy defined in *Murphy*. Membership list are not available to Petitioners.

FACTS MATERIAL TO THE QUESTIONS PRESENTED

Introduction

Petitioners find the current situation in the Named States prevent them from exercising constitutional powers secured for them in either of the constitutions. One example serves to clear the air. Article VI of the Nation's Constitution requires all state and federal public officers be bound by an oath or affirmation of office; however, merely giving an oath in exchange for getting the public trust in order to enter public office does not obligate a person will faithfully perform the duties of office; however, a faithful performance corporate bond would obligate the public officer to perform his duties faithfully. See *Nelson*, 4 Wash. 2d at 175 and 182-183.

A. The oath of office would then have teeth and go a long way towards eliminating malfeasance, misfeasance, and outright political activism in judicial office. Being bound by an abstract commitment, though one of honor, is not enough to prevent deliberate unfaithful duty performance and the misuse of office. *Id.*

B. The current system of blanket corporate bond coverage nourishes the anarchy being addressed and does not obligate the one public officer who forgets or ignores the oath given upon entering office; since under the blanket bond, the errant public officer cannot be singled out for elimination except in rare cases when those similarly clothed and un-bonded - but not directly affected by the errors - take decisive action to cure that specific defect. *Id.*

1. Routine Denial of Constitutional Powers as a Condition of Anarchy

The People of the named states are excluded from the practice of law without deference to their educational prowess or their demonstrated moral and ethical conduct. They are excluded by binding exclusionary and tying, state and federal, antitrust accommodation between persons not bonded but assigned duties with the public trust as justices of the supreme courts of the Named States and the American Bar Association. The Congress has enacted laws promoting the continuance of the anarchy with usurped powers prohibited by the Tenth Amendment generally or by combinations of those mutually exclusive powers in particular when they require certain federal public officer positions be state licensed attorneys as a condition precedent. See for example, Respective State and Federal Antitrust Laws or constitutional provisions therefor: 15 U.S.C. §§ 1 and 2; Sections 1, 2, 3, 8, 9, 10. 12, 13, 14, 16, 25, , Article I, Sections 1, 5, and 6, Article III, and Sections 36(a), Article IV, Constitution of Missouri; Section 25, 26, and 38, Article IV, Constitution of New Mexico, NMRA 15-102 et seq., NMSA 57-1-1 to 19; and Section 8, Clause 3, Article I, Nation's Constitution; Wisconsin Trusts and Monopolies Act codified at Wis. Stat. Ann. § 133.01 to 133.18 which are analogous to the Sherman Act, the United States antitrust laws, and *Herro. McAndrews & Porter v. Gerhardt*, 62 W. 2d 179, 214 N.W. 2d 401 where the Wisconsin Supreme Court decided, for its own reward, practice of law issues without deference to state and federal antitrust and anti-competitive tying and exclusionary accommodations against the excluded People of the State of Wisconsin; Colorado Supreme Court Rules of Civil Procedures, for licensing attorney which that court is powerless to do using public appropriations in direct opposition to Section 26 and 28, Article II, Constitution of Colorado, and see Rule 201.3 et seq., C.R.C.P.; Fla. Sta. Ch. 25: 25.371 and *Petition of Florida*

State Bar Association, 40 S.2d 902, (1949) for court authority used to trump state statutes; statutes which the Florida Legislature was powerless to enact using public appropriations in direct opposition to Sections 1, 2, 9, 10, 20, and 21, Article I, Section 3, Article II, and Sections 1, 6, and 19(b) Article III, Constitution of Florida, and Fl. St. Chapter 542.18 to .32; Florida Deceptive and Unfair Trade Practices Act, Fla St. ch. 501.201, *et. seq.*; and Appendix 43 to 55.

A. In point of fact, Mr. John Ashcroft, the current Attorney General of the United States serves as a prime example. No dishonor is cast against him, but he was licensed to practice law in the State of Missouri and that licence became a condition precedent to his being nominated, confirmed by the Senate, and appointed to the office he now holds. He is included as a defendant in the *Qui Tam* Complaint filed in the United States District Court for the Western District of Missouri. The exclusive law licensing power of a state - an illicit act to begin with - was combined unlawfully with a federal power without deference to the mutually exclusive provisions of the Tenth Amendment by a federal law enacted in Congress exercising power usurped. See Appendix 45.

B. Government *qui tam* proceedings filed in the various federal district courts are filed under Attorney General Ashcroft's authority and exercised by his staff while he is a named defendant in the Missouri *Qui Tam* Complaint. Thus all pleadings submitted by the Justice Department became null, void, and without legal effect at their inception in that his qualification for office combined powers prohibited by the Tenth Amendment and in that he has allegedly conspired against and defrauded the United States under the provisions of 18 U.S.C. § 286 and 371by being unconstitutionally licensed to practice law in the State of Missouri as a condition precedent to being qualified for the office possessed and held. See mutually

exclusive constitutional power distribution of Tenth Amendment, 18 U.S.C. §§ 286 and 371, 31 U.S.C. 3729 *et seq.*, and *United States ex rel Juan P. Cedillo v. Persons Holding License, et al.,* Case No. 04-0215-CV-W-HFS, W.D. Mo. (Mar. 2004), Appendix 45. *Id.*

C. Persons defying State and Federal laws intentionally for personal benefit; and their doing so with sufficient force and effect with special privileges or public office derived thereby so as to deny constitutional powers; such persons engage in insurrection or anarchy as used herein. See *In Re Charge to Grand Jury,* N.D. Ill. (1894), 62 F. 828.

2. Oath Being Bound By Corporate Surety Bonds

Faithful performance surety bonds required of elected and appointed state public officers are deceptively embedded - across the nation as though by a civil conspiracy defined in *Murphy* - in a state statute defining the word "employee" to include elected and appointed officers for coverage by a blanket corporate surety bonds, if even that, so that every office is covered; even vacant offices, even those who die in office until replaced, or even those, *ab initio,* holding office not bondable under any circumstance. See *Murphy* which establishes a civil conspiracy as consisting of a plan, an objective, and an overt act giving it effect. Federal judges are under oath also but being bound is open to question. Compare Appendix 39 to 42 for two difference applications of the same oath; how the two judges acted, as parties in the case, one with retaliation, the other with honor; and the fact that no public officer in New Mexico is bonded with a faithful performance bond as required.

A. This is not the case in the State of Florida since the requirement to be bonded before discharging duties of office is established in Section 5, Article II, Constitution of

Florida; none of the judges of Florida Courts are bonded; and those citizens arrested, imprisoned or both by court orders may be falsely arrested, imprisoned or both; the public trust has been suborned by a state law excepting judges without deference to Paragraph 3, Article VI, Constitution for the United States of America which requires public officers to be bound by oath; the People of Florida have no way to assure the faithful performance of any public officer other than to rely on others clothed the same to settle applicable disputes.

B. Section 5(b), Article II, Constitution of Florida states: Each state and county officer, before entering upon duties of the office, shall give bond *as required by law*, and shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of (Title of office) on which I am now about to enter. So help me God." [Emphasis added].

3. The Dilemma of Anarchy

Similar state and national exclusionary and tying antitrust accommodations of other states with the American Bar Association have the anarchical properties expressed as follows:

A. The accommodation is between the named state supreme court justices and the American Bar Association; it is a political act usurping powers not included in judicial powers constitutionally granted; it is imposed upon the

'excluded People' of the Named States whether litigants before a court or not; and it confiscates the practice of law from the public domain enacted using appropriated funds from the public treasuries for the restricted use by persons accommodated and permitted to join in the civil conspiracy - *Murphy* - against the People of the Named States. The accommodations constitute the corpus deliciti of the anarchy with evolved properties of an 18 U.S.C. § 286 conspiracy, a conspiracy which operates to defraud the United States as addressed in 18 U.S.C. § 371, both type conspiracies are the subject of the Disclosure Statements submitted to General Ashcroft in support of the named federal district court *qui tam* complaints pursuant to Rule 4(d)(4), Federal Rules of Civil Procedure, but are not being provided by him to the various district courts. The latter is a defect in the False Claims Act, 31 U.S.C. 3729, *et seq.*. in that the current practice in the *Qui Tam* Complaints active across the Nation is for the Department of Justice to bury that evidence. See Department of Justice filings in the current district court *qui tam* cases; and see 18 U.S.C. 286, and 371, and 31 U.S.C. 3729 *et seq.*

B. A sample of the civil cases had in courts of general or appellate jurisdictions in the named States and Federal Districts wherein one party, self-represented, was opposed by an attorney will reveal a lopsided success rate in favor of the attorney represented party due primarily to court rule advantages and legal skills developed with the practice of law which is denied non-licenced litigants over time as unauthorized when on rare occasions they may be required to appear in court and may choose to represent themselves. *Id.*

C. The reason non-represented parties lose their cases is not because their cause is unworthy and not because they are incapable of defending themselves, it is because they are not permitted to practice law competitively or to have

unlicenced persons of their choice to represent them; they are required to hire persons - they have no other choice as a free citizen, but to hire persons who have joined in a *Murphy* civil conspiracy - or a criminal conspiracy: 18 U.S.C. § 286 undermining the integrity of the very government which supposedly serves the interests of the excluded citizen. *Id.,* and see State and Federal Bar restriction which repudiate the First Amendment right ro assemble peaceably in a judicial forum to petition government for a redress of their grievances. *Id.*, and consider the instant case.

D. Barriers are in place to protect persons who are members of the state or federal bars from competition involving competent adversaries who have on their own initiative studied state and federal law; those barriers consist of subcommittees in secret local county or state bars - organizations not open to the general public - to sue in state courts those persons engaged in the unauthorized practice of law without a license, where such secret organizations can be and are accepted in court in good standing, state and federal, as long as their opponents are excluded citizens. *Id.*

E. The courts of general jurisdiction impose sanctions on the unlicenced individuals for the unauthorized practice of law as a punitive measure to protect the anti-competitive beneficiaries of the state and federal antitrust practices. See *San Juan Bar Association by the Unauthorized Practice of Law Committee of the San Juan County Bar Association; Richard Parmley, F. Douglas Moeller and Jay Burnham; members v. W. Paul Adams,* Case No. CV 94-385, 11th Judicial District Court, San Juan County, Removed to D.N.M.,Case No. CIV 99-883 JP/DJS on ground that federal constitutional power could not be enforced in state court, where the federal court remanded, and Adams appealed the remand to the Tenth Circuit in Case No. 96-2304 where the case was dismissed feigning lack of jurisdiction. Thereafter, the state

court issued a writ of execution on December 12, 1996 for $1072 at 8.25 percent interest until paid as though Adams was chattel property owned by the county bar and as though the case never left the state court. See cases.

F. Success is all but assured for persons represented by licensed attorneys in courts of general or appellate jurisdiction, both state or federal. All one has to do is review the final judgments of court cases where one party was not represented by a licensed attorney but opposed by one representing themselves *Pro Se* or with representation, even unacceptable representation. *Id.*

4. Anarchy Exists

The States of Florida, Missouri, Texas, New Mexico, Colorado, and Wisconsin are each in an active state of anarchy invigorated by the Respondents. The anarchy is seeded, nourished, and preserved by activities of the Respondents; and those engaged in the anarchy maintain and administer the destructive powers injurious to petitioners and American Citizens as well. Consider the fact that Respondents are either public officers pre-qualified by special privilege to practice law which excludes all other American Citizens or they are permitted special privilege to represent others *for profit* on a non-competitive basis in public facilities which denies that same privilege to the excluded American Citizens. See *Qui Tam* Complaints, Appendix 19 to 24.

A. The primary characteristics of anarchy - parenting, seeding, nourishing, and preserving - were derived from Federalist Papers Number 9, 15 to 20, 22, 26, 51, 59, 65, 70, and 85.

a. Selected as the core of arguments contained therein favoring ratification of the Constitution for the United States of America is identified herein as the Fundamental Principal of Government whose understanding of a Republican Form of Government is necessary and appropriate for the questions before the Court; to wit:

> Power controlled or abridged is almost always the rival and enemy of that power by which it is controlled or abridged. Federalist Paper 15, Great Books of the Western World, Volume 43, p. 65.

b. The power abridged in the instant case is the power of the Named State constitutions, the Constitution for the United States of America, and the state and federal laws respectively enacted thereby using appropriated funds from the various public treasuries of the 'excluded' People. *Supra.*

c. The power to be controlled in the instant case is the power derived by: (1) the exclusionary and tying, state and federal, anti-competitive and antitrust, accommodations for the advantages of the membership which is then involuntarily imposed upon the 'excluded ' public without deference to the Tenth Amendment or their treasuries; (2) those accommodations between the named state supreme court justices and the American Bar Association for membership anti-competitive advantages; and (3) those accommodations exercised for exclusive membership advantages at the expense of the power abridged. *Supra.*

d. The anarchy that ensues may be described as that societal system which unilaterally favors the Group served by the power in paragraph c above with their advantages, doing so at the expense of the Group disadvantaged by the power

abridged in paragraph b above; and as a consequence, a special by-product emerges for protective advantages for practicing members served by of the Group power of paragraph c, a by-product which happens to be honorary or active members in relevant positions of government to consider judicial decisions on behalf of the power of the Group of paragraph c in every dispute as they evolve. *Supra*..

e. This Court previously considered the hazards of the balancing property sought by Petitioners which is inspired within the Fundamental Principle of Government as addressed herein and is submitted for the Court's consideration follows:

> The task of this Court to maintain a balance between liberty and authority is never done, because new conditions today upset the equilibriums of yesterday. The seesaw between freedom and power makes up most of the history of governments, which, as Bryce points out, on a long view consists of repeating a painful cycle from anarchy to tyranny and back again. The Court's day-to-day task is to reject as false, claims in the name of civil liberty which, if granted, would paralyze or impair authority to defend existence of our society, and to reject as false claims in the name of security which would undermine our freedoms and open the way to oppression. These are the competing considerations involved in judging any measures which government may take to suppress or disadvantage its opponents and critics. *American Communications Asso. v. Douds*, 94 L.Ed. 925, 339 US 382 at 445.

f. The Petitioners are tuned to the Court's dilemma, they seek the Court's power or authority for a balance between liberty with order and anarchy with disorder, and they have no envy for the task at hand.

5. Nourishing and Preserving Anarchy

Some respondents of the Named States hold office as legislators under the foregoing type public trust while obligated as attorneys by a different oath to a justice of a respective state supreme courts and while simultaneously holding legislative positions as chairpersons or members in committees controlling the way statutes and constitutional amendments are constructed and published. See Roster of State legislators holding license to practice law while serving as members in the Legislatures of the named states; and consider the fact that constitutional amendments are placed on ballots in referendum votes so that the yes vote is always in first position, thus guaranteeing a high probability of passage by an 8 percent bias where a 50 plus percent wins.

A. In legislatures where the swing vote is composed mainly of attorneys, the law or constitutional amendment typically advantage practicing attorneys; a position and practice necessary for nourishing and preserving the active anarchy which ultimately prevents, by the force and effect of such controls; and the execution of prohibitive constitutional powers, which results in injuries to the petitioner as well as other Americans, and which does not serve the public interest.

B. The General Counsel for the Florida Courts advised that the legislature enacted a law voiding the requirement that state judges give bond for the faithful performance of their duties which the Florida *Qui Tam* Complaint challenges as defrauding the People of Florida and the United States assembled. See Article VI: "shall be bound by Oath or Affirmation"; a qualification and requirement to be bound without a faithful performance bond renders the oath sterile; and any state statute making the requirement sterile prevents the execution of a power of the Constitution for the

United States of America, nourishes the anarchy, and cannot serve the public interest.

6. The Destructive Powers of Anarchy

On December 29, 2003 in a civil cause in Santa Fe, New Mexico entitled, *Anton*, a situation occurred which personifies the destructive powers of the anarchy pervading the United State of America. The case is used to illustrate the conditions of involuntary servitude deceptively created by state and federal, exclusionary and tying, antitrust accommodations between state supreme court justices of New Mexico over time and the American Bar Association, the latter of which is not under control of the citizens of any named state. See Court Reporter renderings of the December 29, 2003 proceedings in *Anton* and the Thirteenth Amendment prohibition of conditions of involuntary servitude imposed on free citizens.

A. The assigned district judge informed Anton that the court rules created by the Supreme Court of New Mexico placed non-licensed litigants at a disadvantage to opponents represented by licensed attorneys. *Id.*

B. The judge than informed Anton that the judges of the Court of Appeals of New Mexico forced all district judges to hold persons such as Anton to that condition of involuntary servitude, a condition compelling the judges to hold non-licensed litigants 'to the same standards and compliance requirement as are attorneys' knowing that non-licensed litigants cannot practice law and thereby develop courtroom skills; the judge than told Anton that she would be held to those conditions; and then the judge did so by refusing to allow Anton to use state statutes for her defense - unrepresented citizens apparently cannot depend upon the law for their defense but they can be held accountable for violations of the law; all of which is in the

record proper of December 29, 2003, and all of which was accomplished in the presence of seven awe-struck witnesses. The judge later ordered the opposing attorney to sentence Anton. *Id.*

C. The foregoing is but a typical example of the evils of anarchy. The plethora of civil rights cases in federal courts ought to be determined in State courts of record in districts where the incidents occur; since, the civil rights laws are Acts of Congress and become the supreme law of the land. Article VI, Constitution for the United States of America. See Appendixes 31-40, Sworn Testimony in Open Court of Treason file March 22, 2004 in the same court as Anton.

7. The Power to Prevent Anarchy

> Section 4, Article IV, Constitution for the United States of America states:
>
> The United States shall guarantee to every State in the this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

Anarchy is not a Republican Form of Government; the Court has the power to declare its existence; and competition is the anarchy's worse enemy.

REASONS FOR GRANTING THE WRIT

Petitioners seek the power of the Court to suppress the anarchy currently active across America and injurious to petitioners and American Citizens alike by a writ of mandamus

to foreclose upon its destructive powers; or in the alternative, by a writ of prohibition to foreclose upon the civil conspiracies - *Murphy* - now imposed upon the excluded citizens which results in conditions of involuntary servitude in their own courts using laws supposedly enacted for their benefit but deceptively implemented for the benefit of their imposed masters.

Petitioners are confident that solutions to the questions raised are well within the Court's discretionary powers and quite possibly beyond, and that the matters warrant its resolute action.

Question I. Unbalanced Governance

> Whether anarchy is prevalent within the United States of America sufficient to prevent the execution of constitutional powers for the benefit of those with special privileges at the expense of the many, which includes the Petitioners and other excluded American Citizens..

Petitioners find that the full benefits of organized government empowered for the whole of society have been wrested from a major segment of that society for the benefit of a smaller segment's anti-competitive exclusive advantages, and that the said benefits wrested from the majority were confiscated for deceptive advantages by those entrusted with maintaining the rule of law. What group of public officers lawfully determines that antitrust accommodations hatched deceptively will serve the interests of the excluded majority on a par with the favored minority? The answer can be found in an arena absent mutual consent where the destructive power of anarchy prevails.

Petitioners are entitled to but are denied the ability to execute their constitutional powers secured for their liberties; the word 'power' here is defined as the empowerment of rights, abilities, and authorities for doing something that enures equally within the same time frame as is available to all other citizens as follows:

They have the constitutional power to benefit politically from their organized government and the laws enacted by their elected representatives for their health, safety, and welfare as they seek life, liberty and the pursuit of happiness without being excluded by special interests.

They have the constitutional power to compete economically in a marketplace where the rule of law prevails on terms that enure equally to all participants.

They have the constitutional power to use their God given faculties, the fluency of their communicating skills, and the prerogatives derived from their natural abilities and experiences to satisfy their personal needs honorably on a competitive basis in the marketplace without being excluded because some private organization, not under their control, establishes criteria that automatically excludes them in favor of those meeting the anti-competitive criteria.

They have the constitutional power to depend upon the Bill of Rights for their personal protection from civil conspiracies, frauds, crimes, and the abusive exercise of coercive authorities in support thereof under the deceptive guise of mutual consent for maintaining the public order; a concept clothed in deception which routinely predominates anarchy.

The existing anarchy prevailing throughout America generally and in particular, the Named States is active with

sufficient force and effect to prevent petitioners from executing constitutional powers designed to secure for them the blessings of liberty; although action by the Court to cure the defect appears discretionary on the surface; deep down, the action sought would cure a defect created by the Court in Year 1819 and at the same time improve upon its jurisdiction for conflict resolution.

Wherefore, a mandamus should issue sufficient to require the state legislature to revise the licensing procedures for the practice of law to permit members of the general public to compete with those formally educated in law without their being held to conditions of involuntary servitude by deceptive court rules with artificial organizations which prevent their becoming members.

Question II. The Initial Parent, Seed and Nourishment of Anarchy Pervading America

> Whether the *M'Culloch* decision of the Court is the parent of the anarchy active nationwide.

Petitioners assert that one supreme court decision in particular misinterpreted the powers of the Constitution which joined an Executive power with a power of the Congress creating environment for the state of anarchy existing nationwide.

A. *M'Culloch v. Maryland*, 17 U.S. (4 Wheat.) 316 (1819) was a political decision since the Court chose to combine 'necessary' with 'proper' which gave effect to a choice - not a judicial decision, where no choice exists. Such a choice by the Court was thus repugnant to the constitution since Judicial Department power is limited to judicial alone. Political power incorrectly combined unique and independent federal powers meant to be kept separate; the Court's decision combined those

powers which efficaciously destroyed the purpose for the Separation of Powers Doctrine. Still further, the misinterpretation of the distribution of power interfered with conflict resolutions between Member States and the Federal Government, it may have been the impetus for the American Civil War, and it may also have been the impetus for the various domestic and international crises since.

B. The Necessary and Proper Clause found in Article I, USA Constitution was combined by the Court in *M'Culloch* to be an exclusive power of the Congress based simply upon its location in Article I. In point of fact, the 'Necessary' part of that clause is an exclusive Executive Power and its source is Section 3, Article II, Constitution for the United States of America. The 'Proper' part of the clause is an exclusive congressional power; it is exercised by Congress to determine if what the Executive thinks is necessary for public order properly falls within the envelop of congressional powers and limitations. Both powers are meant to be exercised independent of each other; they are unique; and the two qualities are fundamental to the exercise of the rival powers. Otherwise Congress can encroach on State powers uninhibited by the constitution, except *abundanti caudela* by the Tenth Amendment. The fact that a sentence in Article I of the Constitution contains both words addressing the unique powers does not eliminate the judicial power to keep them separate to avoid the destructive powers of anarchy.

C. Thus an Executive Department exercises the power which determines what is necessary and the Legislative Department surveys its powers and limitations to determine if it can grant the Executive Department what is considered necessary. Should the need be improper, no law is enacted. However, once law is enacted, it fall exclusively under the judiciary for dispute resolution.

D. Here is how the seed of anarchy was induced. Today, the Congress determines what it thinks necessary and then determine whether its foresight is also proper within the envelop of its powers and limitations. The combined power essentially eliminates the need for an executive except to faithfully and blindly execute the laws enacted by Congress, whether good or bad. The Executive Department, and hence the President, would then be subordinate to the Congress which is contrary to the Separation of Powers Doctrine as created in the Constitution for the United States of America.

E. *M'Culloch* combined constitutional powers meant to be independent, unique to different branches of the government, and kept separate as a limitations on the exercise of government powers. The combination of those independent powers has overcome the purpose of the congressional limitations on the exercise of its powers, and has become detrimental to the interests of the public order by letting loose anarchy unbridled.

F. Thus, the *M'Culloch* decision must be modified to separate the rivals powers induced by the Separation of Powers Doctrine and to end the debacle created as depicted in Paragraph D above.

Wherefore, a mandamus should issue renouncing that part of *M'Culloch* which combines the powers of the Executive Department of the United States of America for what is deemed necessary with the Legislative Department of the United States of America for what is deemed proper so that those two powers can become separate and independent as required by the Constitution for the United States of America.

Question III. The Court's Power to Act Extends Beyond Discretionary

> Whether the Court's discretionary authority is warranted to reestablish the rule of law so the petitioners may seek life, liberty and the pursuit of happiness without having to actively compete with or fear the effect of the evil forces of anarchy.

The characteristic properties of anarchy as it exist within the jurisdiction of the Court, and the cure which justifies an exercise of its discretionary powers follows:

A. The constitutional power distribution established in the Tenth Amendment for governance between both state and federal levels is meant to be mutually exclusive; however, when improperly combined - as is the current state of affairs - the exercise of those powers becomes the *parents* of anarchy; and therefore the Tenth Amendment power distribution needs to be reinstated. The Court has the power to cure that defect.

B. The continued combination of government powers creates dissension and instability among the citizenry and the unconstitutional combination of those powers becomes the *seed* for the further propagation of anarchy.

C. Anarchy is *nourished* by the progressive instability and dissension among the people; that discord feeds upon itself; and the effect becomes the *destructive power* of anarchy.

D. Abdication of constitutional warrants by the judicial process involving the supreme law of the land *preserves* the effect of anarchy uninhibited; however, the constitutional architecture for governance was designed to prevent anarchy;

and the Court must maintain the integrity of the architecture, it has the power to cure any defect, and that power exceeds discretion since it created the defect in *M'Culloch*.

E. The public interest, both national and state, is served by the *proper distribution of governmental powers* and by the healthy rivalry inherent in the exercise of those powers.

F. The solution for the relief sought by writ - while within the discretionary power of the Court - lies in analyzing the Fundamental Principal of Government - as stated herein - with a view towards being the *parent, the seed, and the nourishment for the necessary safeguards needed* to implement a Republican Form of Government, one guaranteed every State of the Union by the Constitution for the United States of America.

Wherefore, the Court's discretionary powers and those beyond, ought to be exercised to free the excluded Petitioners as well as other Americans from the conditions of involuntary servitude imposed upon them by deceptive court rules, organizations and membership requirements designed to prevent them from becoming proficient in the practice of law on an honorable competitive basis.

CONCLUSION

Anarchy is active within the United States of America, its destructive powers prevail, and the petitioners are entitled pursuant to 28 U.S.C. § 1651to a court decision sufficient to foreclose upon its continuation by writ of mandamus or in the alternative by writ of prohibition.

Respectfully submitted,

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Wiley Y. Daniel

CIVIL CASE NO. 03-D-2257 (PAC)

UNITED STATES, *ex rel* EDWARD G. NOVOTNY and, ETTA B. NOVOTNY,

Plaintiffs/Relators

vs.

PERSONS LICENE D TO PRACTICE LAW, AND PERSONS HOLDING PUBLICE OFFICE IN THE STATE OF COLORADO AND THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLITICALAUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF COLORADO,

Defendants.

CHALLENGE TO COMPETENCE OF ORDER OF DISMISSAL

COMES NOW Relator Edward G. Novotny and hereby challenges the competence of the Court to issue the order of dismissal and to state the following:

1. The judge assigned the case is a defendant.

2. Plaintiff United States submitted a pleading to the Court subordinating the Relators to a decision of the defendants.

3. Neither the Plaintiff United States, by and through the Office of the United States Attorney General, nor the assigned judge took any action whatsoever to provide the Relator Novotnys the due process of law addressed in the Fifth Amendment which is the supreme law of the land.

4. Both the Office of the United States Attorney Genral and the Office of a United States District Judge prevented the Relators Novotnys from exercising a constitutional power which is the supreme law of the land established for their exclusive benefit, (Section 3 adn 4, Fourteenth Amendment); they subordinated the Novotnys to a defendant for a decision harmful to their cause which the Court was powerless to render in the case as captioned; adn the cause which the Court entertained is in point of fact a multi-district complex litigation and the order of dismissal aids and abets a seditious conspiracy to undermine the integrity of the Constitution of the State of Colorado and the Constitution of the United States of America. See *In Re Charge To Grand Jury,* N.D. I11. (1894), 62 F. 828.

5. the Court acted without benefit of the Disclosure Statemetn provided the U.S. Attorney General as required by FRCP 4(d0(4) which supported the complaint - a possible defect in the law; there was never any proof the attorney general diligently performed an investigation as required by 31 U.S.C. 3730 (b) (1); both the foregoing were conditions precendent to a fair and objective decision, if that were possible in the case as captioned; and the nature of a *qui tam* complaint is to protect the relator from such deliberately false statements as, "they made no coherent statement of any cognizable claim whatsoever."

6. The Order of Dismissal must be vacated under moral and ethical considerations forthwith.

Wherefore, the Court is not duly constituted for the case captioned, it was powerless to render to the order of dismissal thereby, the order undermines the integrity of this honorable Court, and it repudiates Sections 3 and 4, Fourteenth Amendment to the Constitution for the United Staes of America.

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Plaintiff/Relator
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Etta B. Novotny,
Plaintiff/Relator
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I certify that this Challenge to the Competence of Order of Dismissal was sent first class by U.S. Mail, postage prepaid, signature confirmation to Laura Sigman Civil Division, DOJ, POB 261, Ben Franklin Station, Washington, D.C. 20044 this 31st Day of March, 2004.

Edward G. Novotny

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Wiley Y. Daniel tec 3-29-04

Civil Action No. 03-D-2257 (PAC)

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAR 26 2004
GREGORY C. LANGHAM
CLERK

UNITED STATES, *ex rel*
EDWARD G. NOVOTNY
and ETTA B. NOVOTNY,
Plaintiffs/Relators,

v.

PERSONS LICENSED TO PRACTICE LAW AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF COLORADO AN THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLITICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF COLORADO,
Defendants.

ORDER OF DISMISSAL

THIS MATTER comes before the Court upon review of the file and upon receipt of the Plaintiffs'/Relators' most recent nonsensical filing.

Plaintiffs/Relators fail to state a claim upon which relief may be granted, although the use in their filing of lofty language and their citation of cases such as *Marbury v. Madision,* 1 Cranch 137, 2 L.Ed. 60 (1803) in support of their purported claim certainly amounts to a good attempt at *sounding* as if there is some basis for their efforts. Unfortunately for Plaintiffs/Relators,

such an attempt to obfuscate does nothing to remedy the fact that they have made no coherent statement of any cognizable claim whatsoever. As such, this case is dismissed pursuant to Fed. R. Civ. P. 12 (b)(6).

Plaintiffs/Relators have wasted time and resources of the Court and the United States with this claim, whcih is entirely lacking in merit. Accordingly, it is ORDERED that Plaintiffs/ Relators shall file a brief with the Court showing cause why sanctions should not be imposed. It is

FURTHER ORDERED that Plaintiffs/Relators are to appear at a hearing before this Court on **Thursday, April 22, 2004 at 2:30** where they shall show cause why sanctions should not be imposed.

Dated this 26th day of March, 2004.

BY THE COURT:

Wiley Y. Daniel
U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 03-D-2257 (PAC)

CERTIFICATE OF MAILING

I hereby certify that a copy of the above Order was mailed to the followin on March 26, 2004:

Etta B. Novotny, Relator
Edward G. Novotny, Relator
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Cortez, CO 81321

Michael F. Hertz
Dodge Wells
Laura Sigman
Attorney, Civil Division
Department of Justice
P.O. Box 261
Ben Franklin Station
Washington, DC 20044

Magistrate Judge Patricia A. Coan

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES *ex rel* FRANCIS G. REUTER,

Plaintiff/Relator,

v.

PERSONS LICENSED TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF WISCONSIN AND THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLITICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF WISCONSIN,

Defendants.

ORDER

04-C-112-C

SEALED

Because I may qualify as a defendant in this proposed action, I am recusing myself pursuant to 28 U.S.C. § 455(a).

Entered this 7th day of April, 2004.

BY THE COURT:

Barbara B. Crabb

BARBARA B. CRABB
District Judge

A copy of this document has been mailed to the following: Francis Reuter
this 8 day of April, 2004 by S. Vogel, Secretary to Judge Crabb

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT

NOV 17 2003

CLERK

UNITED STATES OF AMERICA, *ex rel* ANTONIO GUTIERREZ, Plaintiffs,	
vs.	**CIVIL CASE NO. CV-03-1320 MV LFG**
PERSON HOLDING LICENSE TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF NEW MEXICO AND THE UNITED STAES WHO WERE QUALIFIED TO DO SO BY HOLDING LICENSE TO PRACTICE UNDER POLITICAL AUTHORITY OF COURT RULES PRODUCED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF NEW MEXICO, Defendants.	**QUI TAM COMPLAINT FILED UNDER SEAL, AND IN CAMERA**

THIS QUI TAM COMPLAINT is filed under seal on the ground that some defendants hold office within the District of New Mexico and are not authorized to view its contents. No

person assigned duties within the District of New Mexico may break the seal while under the possession and control of the District Court, since some members of the Tenth Circuit Court are defendants. The ***seal shall not be broken*** upon filing until a judge from outside the Tenth Circuit Court are defendants. The seal shall not be broken upon filing until a judge from outside the Tenth Circuit pursuant to 28 U.S.C. § 292(d) is temporally assigned in the public interest by the Chief Justice of the United States Supreme Court, or the United Sates Attorney General enters the case and takes control.

Antonio Gutierrez, Realator

SEALED under Authority of 31 USC 3730(b)(2) QUI TAM

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

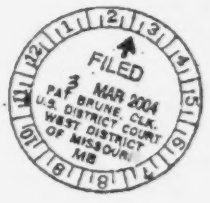
CIVIL CASE NO. 04-0215-CV-W-HFS
JURY DEMANDED

UNITED STATES, *ex rel* JUAN P. CEDILLO,
President, United States Counter-Insurgents
Association of Justice, Inc.,
Plaintiffs,

vs.

QUI TAM COMPLAINT
SEALED PURSUANT TO
31 USC 3730 (b)(2)

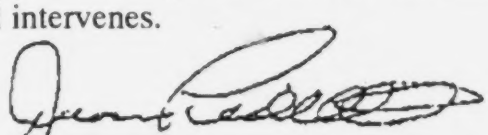
PERSONS LICENSE TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF MISSOURI,
Defendants,



SEALED under Authority of 31 USC 3730(b)(2)

THIS QUITAM COMPLAINT is filed under seal on the ground that some defendants hold office within the Western District of Missouri and the Eighth Circuit. According the seal

may not be broken until either a judge is temporally assiged pursuant to 28 U.S.C. § 292(d) in the public interest by the Chief Justice of the United States Supreme Court or the United States Attorney General intervenes.



Juan P. Cedillo, Plaintiff/Relator

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CIVIL CASE NO. 04-80006

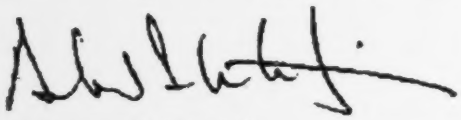
CIV-RYSKAMP

UNITED STATES, ex rel ANDREW COLESANTI, Plaintiff/Relator,	)
vs.	)
PERSONS LICENSE TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF FLORIDA AND THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF FLORIDA, Defendants.	)

QUI TAM COMPLAINT FILED IN CAMERA UNDER SEAL

THIS MATTER is filed in camera under seal without authority granted any defendant to review the contents until

either the Office of the United States Attorney General, or the Solicitor General of the United Staes enters the case, or the Chief Justice of the Supreme Court appoints a district judge from outside the Eighth Circuit Court of Appeals to the case.



Andrew Colesanti
364 Marlborough Place
West Palm Beach, FL 33405-1615
Ph: (561) 301-4992
Fax: (561) 835-1558

COPY

JS 44
(Rev. 07/89)

CIVIL COVER SHEET

DOC NO
RECD/FILED

2004 FEB 27 AM 9:45

CLERK US DIST COURT
WD OF WI

I (a) PLAINTIFFS **United States *ex rel* Reuter**

DEFENDANTS **Persons Holding License to Practice Law, *et al.*,**

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT **Grant County, WI**
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

04 C 0112 C

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

X
- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only) (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	X 1	☐ 1	Incorporated or Principal Place	☐ 4	☐ 4

Appendix - 49

BEST AVAILABLE COPY

☐ 2 U.S. Govt/Amem Defendant

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

Citizen of Another State	☒ 1	☐ 2	of Business in This State Incorporated and Principal Place of Business in Another State	☐ 5	☐ 6
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE) 31 U.S.C. § 3729 *et seq.*

(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

False Claims on public treasuries defrauding the People of Wisconsin and the United States

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Fed. Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury PERSONAL INJURY ☐ 362 Personal Injury—Med. Malpractice ☐ 365 Personal Injury—Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 610 Agriculture ☐ 620 Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 630 Liquor Laws ☐ 640 R.R. & Truck ☐ 650 Airline Regs ☐ 660 Occupational Safety/Health ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Mgmt. Relations ☐ 730 Labor/Mgmt. Reporting & Disclosure Act ☐ 740 Railway Labor Act ☐ 790 Other Labor Litigation ☐ 791 Empl. Ret. Inc. Security Act	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 840 Trademark SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce/ICC Rates/etc. ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 810 Selective Service ☐ 850 Securities/Commodities/Exchange ☐ 875 Customer Challenge 12 USC 3410 ☐ 891 Agricultural Acts ☐ 892 Economic Stabilization Act ☐ 893 Environmental Matters ☐ 894 Energy Allocation Act ☐ 895 Freedom of Information Act ☐ 900 Appeal of Fee Determination Under Equal Access to Justice ☐ 950 Constitutionality of State Statutes ☐ 890 Other Statutory Actions
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 444 Welfare ☐ 440 Other Civil Rights	PRISONER PETITIONS ☐ 510 Motions to Vacate Sentence ☐ 530 Habeas Corpus ☐ 540 Mandamus & Other ☐ 550 Civil Rights			

VI. ORIGIN (PLACE AN x IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A ☐ UNDER F.R.C.P. 23 CLASS ACTION DEMAND $ 12.5 Million Check YES only if demanded in complaint: JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) (See instructions): IF ANY JUDGE _____ DOCKET NUMBER _____

DATE SIGNATURE OF ATTORNEY OF RECORD

Appendix - 51 (continued)

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

CIVIL CASE NO. _____

FILED
U.S. DISTRICT COURT
DISTRICT OF COLORADO
2003 NOV 12 PM 2:05
GREGORY C. LANGHAM
CLERK
BY _____ DEP. CLK

03-CB-2257(MC)

UNITED STATES, *ex rel* EDWARD G. NOVOTNY and, ETTA B. NOVOTNY,
Plaintiffs/Relators

vs.

PERSONS LICENSED TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF COLORADO AND THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLITICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF COLORADO.
Defendants,

QUI TAM COMPLAINT FILED UNDER SEAL CAMERA

THIS MATTER is filed in camera under seal without authority granted any defendant to review the contents until

either the Office of the United States Attorney General, or the Solicitor General of the United Sates enters the case, or the Chief Justice of the Supreme Court appoints a district judge from outside the Tenth Circuit of Appeals to the case.

Etta B. Novotny, Relator
13106 Hwy. 491 N.
Cortez, Colorado 81321
(970) 565-8353 Ph. and Fax

Edward G. Novotny, Relator
13106 Hwy. 491 N.
Cortez, Colorado 81321
(970) 565-8353 Ph. and Fax

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF TEXAS

MCALLEN DIVISION

COPY

CIVIL CASE NO. M-04-101

JURY TRIAL DEMANDED

United States District Court
Southern District of Texas
FILED
APR 01 2004
Michael N. Milby, Clerk

UNITED STATES, *ex rel*
JUANITA CEDILLO, President,
Asociacion De Justicia Para Todos
Ciudadanos Americanos, Inc.
Plaintiff/Relator

vs.

QUI TAM COMPLAINT
SEALED PURSUANT TO
31 USC 3730(b)(2)

PERSONS LICENSED TO PRACTICE LAW, AND PERSONS HOLDING PUBLIC OFFICE IN THE STATE OF TEXAS AND THE UNITED STATES WHO WERE QUALIFIED BY HOLDING LICENSE TO PRACTICE UNDER THE POLITICAL AUTHORITY OF COURT RULES CREATED BY PUBLIC OFFICERS WITH DUTIES IN THE SUPREME COURT OF THE STATE OF TEXAS,
Defendants.

THIS QUITAM COMPLAINT is filed under seal on the ground that some defendants hold office within for the Southern

District of Texas McAllen Division and the fifth Circuit. According the seal may not be broken unitl either a judge is temporally assigned pursuant to 28 U.S.C. §292(d) in the public interest by the Chief Justice of the United Sates Supreme Court or the United States Attorney General intervenes.

Juanita Cedillo

Please have Court Clerk
Count Stamp ~~this~~ Each of this for us
Please.

FIRST JUDICIAL DISTRICT COURT
COUNTY OF RIO ARRIBA
STATE OF NEW MEXICO

ENDORSED
First Judicial District Court
MAR 2 2 2004
Santa Fe, Rio Arriba &
Los Alamos Counties
PO Box 3205

NO. D-0117-CV-2003-00228

ANN L. MCDANIEL, *et al.*,
Plaintiffs,
v
UVALDO VELASQUEZ, *et al.*,

and

No. D-0117-CV-00099-12585
ANNE TAINTOR,
Plaintiff,

JANICE LEE WRIGHT, et al.,
Plaintiffs-in-Intervention,
vs.
UVALDO VELASQUES and
JOHN DOES 1 through 4,
Defendants.

TESTIMONY OF WITNESSES TO OVERT ACT OF TREASON COMMITTED BY SUZANNE C. ODOM, JOHN F. MCCARTHY, JR., WHITE, KOCH, KELLY & McCARTHY, P.A., THOMAS A. SIMONS, IV, FAITH KALMAN REYES, THE SIMONS FIRM, LLP, ANN L MCDANIEL, RICHARD JAMES BOYLE, JR., ANN K. BOYLE, MARK L STOCKTON, KATHLEEN F. STOCKTON. KATHLEEN, MARK L. AND KATHLEEN F. STOCKTON TRUST, ANNE TAINTOR, CHARLOTTE HETHERINGTON, SCHEURER, YOST & PATTERSON, P.C., AND TIMOTHY GARCIA

COMES NOW the undersigned giving sworn public testimony in his open honorable Court that the named persons and organization in the title herein, "Named Persons", individually, collectively, and actively engaged in the *corpus deliciti* which constitutes the overt acts of treason against the United States, and the People of the State of New Mexico which prevented the heirs of the Piedra Lumbre Land Grant by usurped force from executing Acts of Congress; and the evidence of their deliberate and concerted overt acts is contained entirely within the Record Proper for the cases captioned as is the proof of the fulfillment of their specific overt acts which prevented, by usurped force, the execution of Acts of Congress.

1. The definition of treason is contained in the Bill of Rights, Section 16, Article II, Constitution of the State of New Mexico and Section 3, Article III, constitution of the United States of America; to wit:

For the State of New Mexico:

Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

and, For the United States of America:

Treason against the United States shall consist only in levying Was against it, adhering to their Enemies, or giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

2. The Persons Named, engaged in the same overt acts

of treason adhering to the enemies of the State of New Mexico and the United States, giving them aid and comfort in the following manner:

A. The Piedra Lumbre Land Grant is a private land grand confirmed by the Congress of the United States and authenticated in a federal patent issued by President Theodore Roosevelt in 1902 to the heirs and assigns forever, less certain mineral rights retained by the United States. The integrity of the Acts of Congress and the subsequent applicable patent was agreed to by the States and People of New Mexico in writing as part of a Compact with the United States contained in Sections 9 and 10, article XXI, the Enabling Act, and preserved inviolate under Section 5, Article II, Constitution of the State of New Mexico.

B. The Acts of Congress, the execution of which was prevented by force, consists of: (1) the ratification of the Treaty of Guadalupe Hidalgo by the United States Senate; (2) the creation of the United States Court of Private Land Claims by Congress honoring the treaty obligations of the United States of America; (3) the creation of the Supreme Court of the United States and its authority which decided an applicable international treaty matter affecting the State of New Mexico, which is cited herein, and which became the supreme law of the land; and (4) the confirmation of the Constitution of the State of New Mexico by the Congress containing matters honoring treaty obligations of the United States of America and limiting its power over the People of New Mexico and private Spanish/Mexican Land Grants. See Section 5, Article II, Constitution of the State of New Mexico and Section 3, Article III, Constitution of the United States of America.

C. Without deference to the foregoing, the Named Person did persuade and cause persons assigned duties with

the honorable First Judicial District Court to usurp constitutional powers and statutory authority not possessed to render decisions by court orders which prevented the Velasques Family from executing Acts of Congress pertaining their Piedra Lumbre Land Grand and adversely effected the integrity of the said land grant using as their authority state statutes which openly and overtly repudiate Paragraph 2, Article VI, Constitution of the United States of America.

D. The Treaty of Guadalupe Hidalgo, the American obligations incurred thereby under international law and honored by the Congress relating to privately owned Spanish/ Mexican Land Grants became the supreme law of the land; and that supreme law was repudiated by the persons and organizations named in the title for dedicated preconceived beneficial objectives using inapplicable state statutes as the driving force.

E. Persons assigned duties, over time, in the First Judicial District Court in combination with those given illicit special antitrust privileges to practice law which excluded most New Mexicans under authority of NMSA 36-2-1 engaged in deliberate conspiracies as addressed in 18 U.S.C. § 286 being the prime generator of the *corpus deliciti* constituting the overt acts of treason addressed in 18 U.S.C. § 2381 and Section 3, Article III, Constitution of the United States of America and reported herein as required by 18 U.S.C. § 2382. NMSA 36-2-1 is a law which validated an invalid act f the State Legislature without deference to Section 25, Article IV, Constitution of the State of New Mexico by unconstitutionally delegating a legislative power to the Judicial Department and committing public appropriations on a long term basis without a constitutional amendment granting it such power. See NMSA 36-2-1 and Section 25, Article IV, constitution.

(1) The Named Persons implemented and embraced the initial *corpus deliciti* referred to in Paragraph E immediately above by intentionally usurping power or authority not authorized or possesses and prevented the Velasquez Family from executing of Acts of Congress, which they were empower to do, so as to deny by force the power of the Constitution of the United States of America, and the power of the Constitution of the State of New Mexico. *Id.*

(2) The evidence necessary to prove the overt acts those persons and organizations named in the title is contained in the Record Proper of the cases captioned., which see.

F. The *corpus deliciti* which constitute the overt acts of treason committed by the Named Persons is as follows:

(1) Named Persons acquired partials of land unlawfully and deceptively by chain of title within the Piedra Lumbre Land Grand deceptively using inapplicable state statutes enforced by court orders rendered by this Court over time but prohibited by Section 9 and 10, Article XXI, Constitution of New Mexico; and they did so in repudiation of Paragraph 2, Article VI, Constitution of the United States of America, Section 5, Article II and Sections 9 and 10, Article XI, Constitution of the State of New Mexico and state statutes enacted consequent thereto. See NMSA 49-1-1 which limits state constitutional powers to designated authority over *community* land grants, not *private* land grants confirmed by and Act of Congress and subsequently patented to the lawful heirs forever by the President of the United States of America; see *Martinez v. Rivera*, 196 F. 2d 192 (10th Cir.) cert. denied, 344 U.S. 828, 73 S. Ct. 30, 97 L.Ed. 644 (1952) which denies *with finality* all jurisdiction of New Mexico courts over private land grants confirmed by Act of Congress; and see NMSA 49-1-2 which limits state land grant authority to *community* land grants only, and prohibit jurisdiction over

private land grants in consonance with Section 5, Article II and Sections 9 and 10, Article XXL, Constitution of the State of New Mexico.

(2) The First Judicial District Court after statehood in 1912 and the Territorial District Court for the Counties of Rio Arriba and San Juan during Year 1908 were used to undermine the integrity of the congressional confirmation and the subsequent presidential patent of the Piedra Lumbre Land Grand, a patented land grant not issued to the State of New Mexico. *Id.* NMSA 49-1-1 and 2; see Territorial District Court for Rio Arriba and San Juan Counties case entitled *Territory of New Mexico v Unknown Owners of the Piedra Lumbre Land Grant*, (Thomas Catron fraudulently claiming to be the unknown owner), docketed as Case No. 1203, (1901); and see *all* judicial cases in the First Judicial District from Year 1912 which involved real estate within the Piedra Lumbre Land Grant.

(3) Timothy Garcia is assigned duties as judge of the First Judicial District Court for the cases captioned; he has had all the information timely placed in the Record Proper for his ready reference and for a decision applicable to the dispute therein concerning ownership rights of heirs to the Piedra Lumbre Land Grant; he has deliberately ignored the constitutional and statutory prohibitions cited therein for pending decisions; and he has issued orders which constitutes the force and effect of preventing the execution of Acts of Congress for the Named Persons, and thereby placed all defendants and heirs residing on the Piedra Lumbre Land Grant under house arrest. *Id.* and See Record Proper in the cases captioned.

a. The information was provided Judge Garcia with sufficient clarity and authenticity for any prudent person to form a decision in support of the Constitution of the United States of

America and Constitution of the State of New Mexico, and to uphold the original federal patent signed by President Theodore Roosevelt in 1902. *Id.*

b. In spite of the information provided and in deliberate concert with all other Named Persons, Judge Garcia chose intentionally, without lawful authority or power, to join in the criminal conspiracy involving those unlawfully claiming ownership of real property within the Piedra Lumbre Land Grant, as represented by those illicitly licensed under authority of NMSA 36-2-1; he then issued a series of orders intentionally giving effect to the criminal conspiracy and subjecting the defendants to threats of arrest should they attempt to defend their real property interests or to continue in their livelihood of engaging in agricultural pursuits using their real estate claimed by the Named Persons. *Id.*

(4) Those Named Persons claiming unlawful ownership of real property within the Piedra Lumbre Land Grant hired the law firms and attorneys therein to assist them in their criminal conspiracy. *Id.*

a. They did so incurring the exceptions of NMRA 11-503D, Rules of Evidence: i.e. one licensed attorney fraudulently claiming a citizen as Plaintiff-in Intervention, then capturing that citizen's name, without any agreement, to be a client under threat of punitive measures concerning a title insurance matter, and then placed that captured person's name deceptively in formal court filings as a Plaintiff-in Intervention, thereby joining forcefully and deceptively the group of other Named Persons who might well be clients but who did not or could not object; the proof pursuant to NMSA 36-2-12 for the authority of attorneys to represent any clients named in the cases captioned, through requested, has never been provided by Judge Garcia. *Id.* and See Letter, Wright to McCarthy, dated February 19, 2004,

of record which repudiates any form of lawful, moral, or ethical client representation; and NMSA 36-2-12.

b. That conduct voided automatically any of the plaintiffs' privilege as clients in the cases captioned for being a deception pervading both cases; and that conduct was put upon the Court, the judge, or the parties in violation of NMSA 36-2-17. Any judgments or decisions made, either temporary or permanent, under that fraudulent condition in repudiation of both constitutions became null, void, and without legal effect at their inception for purposes of Rule 1-060B (3) and (4) NMRA if the "rendering court was powerless to issue it." *(V.T.A., Inc. v. Airco, Inc., 597 F.2nd 220, 254 [10th Cir. 1979 and Marbury v. Madison*, 5 U.S. (1 Cranch) 137]); and since no limitation attaches to void judgments, especially those embracing a fraud deceptively and forcefully put upon the rendering court, *(Orner v. Shalala*, 39 F. 3d 1307, 1310 [10th Cir. 1994]). *Id.*

(5) John F. McCarthy, Jr. intervened for persons named in the title joining with Anne Tainter, her attorney and the others in the criminal conspiracy; by Preliminary Injunction, Judge Garcia combined both cases captioned; and consequent thereto the Named Persons controlled real property within the land grant over the heirs as a single overt act of treason which was accepted as the norm without any objection whatsoever from any source except the Velasquez Family heirs. *Id.*

3. Uvaldo Velasquez, an heir with a limited education, has spent many of his years subjected to racial discrimination and opposed by the First Judicial District Court, the United States District Court for the District of New Mexico, and the Court of Appeals of the Tenth Circuit in formal attempts to execute the Acts of Congress applicable to the Piedra Lumbre Land Grant, spending what funds he could acquire, even hiring an attorney at $14,000 on one occasion to assist him, only to

have both the governments and licensed New Mexico attorneys condemn his plight unconstitutionally. That effort faced by Uvaldo Velasquez lingers on even to this late date. The Court may perform an interview of Uvaldo Velasquez and his wife who are both defendants.

4. Family members appear in the First Judicial District Court in the cases captioned under conditions of involuntary servitude - a condition even enforced on one occasion by the arrest of Uvaldo - since the judges assigned duties in the Court of Appeals of New Mexico have ordered all district judges to hold litigants unrepresented by licensed attorneys to the disadvantages of court rules are made by licensed attorneys with approval of the supreme court justices for litigation and licensed attorney, not un-represented party, advantage, and the judge in the cases captioned has held the defendants to the imposed conditions of involuntary servitude under constant threat of arrest. *Id.*, and See proceedings taped and rendered by court reporter in the First Judicial District Court on December 29, 2003 in *City of Santa Fe v. Carole Anton*, Case No. D-101-CV-2003-00523, Carol Vigil, DJ, Presiding.

5. This document is being forwarded to a judge of the United States pursuant to 18 U.S.C. § 2382 as evidence of treason against the United States.

WHEREFORE, the sworn witnesses have established that the Named Persons have prevented the Velasquez Family by force of usurped constitutional powers and statutory authorities from executing Acts of Congress which applies directly to them for their benefit That *corpus deliciti* constitutes the overt acts of treason; that *corpus deliciti* was the deliberate, concerted, and calculated efforts for preventing the execution of Acts of Congress by the lawful owners of the private land grant; and that corpus deliciti emerged as a combined effort

giving effect to the treason with a continued permanence; a permanence that must be cured by the rule of law in a federal court as a federal question while the rule of law is imperiled within the State of New Mexico.

Uvaldo Velasquez
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Box 102
Youngsville,
N.M. 87064

Cecilia Velasquez
POB 102
Youngsville,
N.M. 87064

Paul Serrano
Post Office
Box 116
Youngsville,
N.M. 87064

Patsy Serrano
Post Office
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Youngsville,
N.M. 87064

Frankie Serrano
Post Office
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Youngsville,
N.M. 87064

Delbert Serrano
63007 NBU 30
Espanola,
N.M. 875326

Victor Serrano
424 S. Riverside Drive, Ste. E
Espanola, N.M. 87532

****

STATE OF NEW MEXICO)
) ss.
COUNTY OF RIO ARRIBA)

SUBSCRIBED AND SWORN TO before me by every one above this 22nd day of March, 2004.

My Commission expires: 1-25-06. Velma E. Lovato
DATE NOTARY PUBLIC

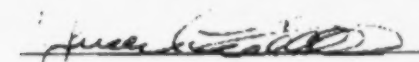
OFFICIAL SEAL
Velma E. Lovato
NOTARY PUBLIC - STATE OF NEW MEXICO
My commission expires: 1-25-06

CERTIFICATE OF MAILING

I certify that a true and correct copy of the foregoing Testimony of Sworn Witnesses was sent first class by U.S. Mail, postage prepaid to Charlotte Hetherington, Post Office Drawer 9670, Santa Fe, New Mexico 87504-9670; Thomas A. Simons, IV, Post Office Box 5333, Santa Fe, New Mexico 87504-5333; and John F. McCarthy, Jr., Post Office Box 787, Santa Fe, New Mexico 87504-0787; plaintiffs' attorney, this 22nd day of March, 2004.

Uvaldo Velasquez

AUTHORITY OF THE. UNDERSIGNED FIRST AMMENDMENT CO-PETITIONERS AS PEACEABLY ASSEMBLED FOR WINFRED P. ADAMS, MAJOR, USAF, RETIRED TO PRESENT OUR GRIEVANCES EXPRESSED WITHIN THE PETITION TO GOVENMENT IN THIS JUDICIAL FORUM FOR AN EXTRAORDINARY WRIT BEFORE THE SUPREME COURT OF THE UNITED STATES OF AMERICA.



Juan P. Cedillo

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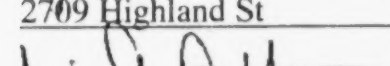
Kansas City, MO 64141

Juanita Cedillo

2709 Highland St

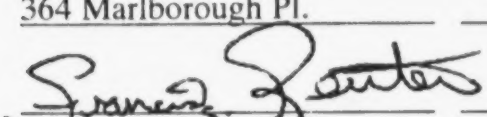
McAllen, TX 78501



Andrew Colesanti

364 Marlborough Pl.

W. Palm Beach, FL 33405



Francis G. Reuter

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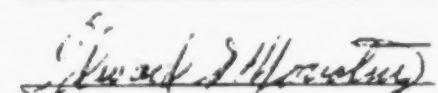

Edward G. Novotny

13106 Hwy. 491

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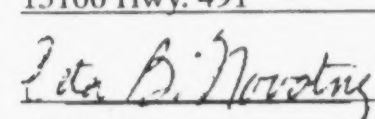

Etta B. Novotny

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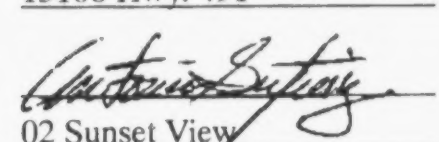

Antonio Gutierrez

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